

## **PLANNING COMMISSION**

### **ACTION MINUTES**

**TUESDAY, SEPTEMBER 19, 2000**

Chair Parsons called the meeting to order at 7:06 p.m. at the Twin Pines Senior and Community Center.

#### **ROLL CALL:**

Present, Commissioners: Mathewson, Peirona, Purcell, Wiecha, Parsons

Absent, Commissioners: Petersen

Present, Staff: Interim Community Development Director Macris, Principal Planner de Melo, City Attorney Savaree, Temporary Recording Secretary Tompkins

#### **AGENDA STUDY SESSION:**

Commissioner Purcell asked staff to clarify the term "scenic easement," which is a component of the Davey Glen project to be discussed under Public Hearings. Principal Planner de Melo stated that the scenic easement area is being designated as part of the planned development, which will preserve in perpetuity the open space scenic use of the site. The applicant is proposing that approximately 4.6 acres of open space be left in a natural state. One acre is proposed for a park and the remaining 3.6 acres will be maintained as open space available to the public. To staff's knowledge, the owner will retain ownership and be responsible for maintenance of the area.

**AGENDA AMENDMENTS:** None

**COMMUNITY FORUM (Public Comments):** None

#### **CONSENT CALENDAR:**

**Action Minutes of August 15, 2000**

**Motion:** By Commissioner Purcell, seconded by Commissioner Mathewson, to approve the August 15, 2000 minutes. Motion passed, with Commissioner Parsons abstaining.

#### **PUBLIC HEARINGS:**

**Continued Public Hearing - To consider an amendment to Ordinance No. 360, Section 8, the parking ordinance, to require the upgrade of one-car residential garages to two-car garages when one or more bedrooms are being added. (Appl. No. 00-1014); CEQA Status: Exempt; City of Belmont (Applicant)**

Chair Parsons reopened the public hearing.

**Motion:** By Commissioner Peirona, seconded by Commissioner Wiecha, to continue the public hearing to November 8, 2000. Motion passed.

**Continued Public Hearing - To consider public, Commission, and staff comments on the operation of the Single-Family Design Review Ordinance, and direction for any amendments to be considered at a future public hearing. (Appl. No. 00-1015); CEQA Status: Exempt; City of Belmont (Applicant)**

Chair Parsons reopened the public hearing.

**Motion: By Commissioner Mathewson, seconded by Commissioner Peirona, to continue the public hearing to November 8, 2000. Motion passed.**

**Continued Public Hearing – To consider public, Commission, and staff comments on the Single-Family Floor Area Ratio standards, and direction for any amendments to be considered at a future public hearing. (Appl. No. 00-1015); CEQA Status: Exempt; City of Belmont (Applicant)**

Chair Parsons reopened the public hearing.

**Motion: By Commissioner Peirona, seconded by Commissioner Purcell, to continue the public hearing to November 8, 2000. Motion passed.**

**ACTION ITEM:**

**Motion: By Commissioner Purcell, seconded by Commissioner Mathewson, to change the first regularly scheduled meeting in November to Wednesday, November 8, 2000, due to the election. Motion passed.**

**PUBLIC HEARINGS (continued):**

**Public Hearing – 2130 Ralston Avenue; To consider a Conditional Use Permit and Design Review to allow a wireless telecommunications facility that consists of two (2) pole-mounted antennas on the roof and an equipment area in the basement of an existing commercial office building. (Appl. No. 00-1049); APN: 044-274-120; Zoned: CO-Office; CEQA Status: Exempt; Pacific Bell Wireless (Applicant); Leslie and David Vallerger (Owners)**

Principal Planner de Melo summarized the staff report. He noted that the next to last paragraph of the resolution should be modified to read: "Whereas, the Planning Commission has considered the applicant's request for Design Review in accordance with the requirements of Section 13.5.3 of the Design Review Ordinance, and finds that the project conforms with the guidelines and standards relating to building design, modifications, architecture, landscaping and other features." Graphics depicting the planned project were also presented.

Chair Parsons opened the public hearing. No one came forward to speak.

**Motion: By Commissioner Peirona, seconded by Commissioner Purcell, to close the public hearing. Motion passed.**

Commissioner Mathewson stated for the record that he does not like the appearance of antennas, and chose to dissent on the grounds of aesthetics. Commissioner Purcell informed the audience that the Commission is not allowed by Federal Law to make a decision about antennas based on whether or not microwave radiation is harmful in any way.

**Motion: By Commissioner Peirona, seconded by Commissioner Purcell, to adopt Resolution No. 2000-43 approving Conditional Use Permit and Design Review to allow a Pacific Bell wireless antenna facility at 2130 Ralston Avenue, with the modification as stated above.**

**AYES: Peirona, Purcell, Wiecha, Parsons**

**NOES: Mathewson**

**ABSENT: Petersen**

Chair Parsons announced that the Commission's decision may be appealed to the City Council within 10 days.

**Public Hearing – 3418 Lodge Drive; To consider a Design Review and Floor Area Ratio Exception to construct a 640-square foot second-story addition to an existing 1,884-square foot home. The proposed new total would be 2,524 square feet where the maximum permitted is 2,399 square feet. (Appl. No. 00-1046); APN: 043-114-260; Zoned: R-1B; CEQA Status: Exempt; Applicant/Owner: Essi Darougar**

Principal Planner de Melo summarized the staff report and showed graphics depicting the plans. Responding to Chair Parsons' question regarding the size of the houses in the vicinity of the project, Principal Planner de Melo stated that staff uses both the Building Division records and the County MetroScan database for its calculations, and that the house would not be out of character with the existing homes in the neighborhood. He noted that MetroScan does not include covered porches, decks and walkways. Chair Parsons asked that future staff reports indicate which figures are used by staff when calculating floor areas.

Chair Parsons opened the public hearing. No one came forward to speak.

**Motion: By Commissioner Purcell, seconded by Commissioner Wiecha, to close the public hearing. Motion passed.**

**Motion: By Commissioner Purcell, seconded by Commissioner Wiecha, to adopt Resolution 2000-44 approving Design Review and a Floor Area Ratio exception for a single-family residence at 3418 Lodge Drive.**

**Ayes: Mathewson, Peirona, Purcell, Wiecha, Parsons**

**Absent: Petersen**

Chair Parsons announced that the decision can be appealed to the City Council within ten days.

At 7:44 p.m. Chair Parsons called for a 5-minute recess. The meeting reconvened at 8:12 p.m.

**Public Hearing – 1500 Ralston Avenue; The College of Notre Dame is proposing a Conceptual Development Plan to add approximately 161,727 square feet of buildings and a four-level parking garage to the existing 50-acre campus. The proposed improvements will accommodate academic activities, student services, student housing, administrative, religious, athletic, and other college activities. (Appl. No. 99-1009); APN: 044-360-070/090; Zoned: PD; Carol F. Probstfeld (Applicant); College of Notre Dame (Owner)**

Commissioner Wiecha recused herself from this item since she lives within 300' of the campus.

To correct the record, Senior Planner John Livingstone stated that the applicant should have been listed as Carol Probstfeld rather than Marchetti Construction Co. on public notices. He presented the staff report, recommending approval of the Mitigated Negative Declaration and the Conceptual Development Plan. In answer to Commissioner Mathewson's question, Senior Planner Livingstone stated that there will be a Mitigation Monitoring Plan that will be monitored by staff.

Commissioner Purcell asked that teachers and students keep the Commission apprised of the effect of the Creek Restoration Plan as it progresses.

Carol Probstfeld, Vice President of Administration for CND, gave a detailed presentation of the conceptual development plan, followed by Ralph Decker, campus planner/architect from Gensler, and Chris Ford, landscape architect from CFLA. Included in the presentation was a video depicting the visual impact of the parking structure.

South County Fire Chief Herb Jewell, responding to concerns from the Commission, stated that the college portion of the campus is functionally served by roadways and water supplies that are part of the high school facility.

Concerns regarding the accessibility of the parking lot to the theatre were discussed and will be addressed in the Detailed Development Plan at a later date.

Chair Parsons opened the public hearing. Sister Nancy O'Shea, CND Trustee, Michael Rico, Cristala Carter, Casie Killgore, students and alumni of the college, and Tom Diridon, 1940 Ralston Avenue, stated their support of the project. Penny Golder, 39 College View Way, and Grace Lieberman, 824 Miramar Terrace, were supportive of the project but expressed concerns about use of the facilities by outside groups, hours the gym will be used, enrollment projections, use of lawn areas for athletic events, noise levels and emissions from the parking garage.

**Motion: By Commissioner Purcell, seconded by Commissioner Peirona, to close the public hearing. Motion passed.**

Carol Probstfeld again addressed the Commission to summarize the proposal and asked for the Commission's support of the project.

Responding to questions from the Commission regarding ordinances currently in effect, City Attorney Savaree stated that the Commission is able to impose any conditions it feels are appropriate based on the current proposal. Chair Parsons added his concern about the parking displaced by the parking structure and suggested that it be designed so that an additional level could be built if it becomes necessary. Responding to Commissioner Purcell's concern regarding tree removal and location, Senior Planner Livingstone stated that the applicant is aware that there is a certain risk involved that will be addressed during the Detailed Development stage. Commissioner Mathewson asked that a written monitoring system of the tree and creek restoration plans be established.

**Motion: By Commissioner Purcell, seconded by Commissioner Mathewson, to adopt Resolution 2000-45 recommending City Council adoption of a Mitigated Negative Declaration of Environmental Significance for the College of Notre Dame Master Plan at 1500 Ralston Avenue**

**Ayes: Purcell, Peirona, Mathewson, Parsons**

**Absent: Petersen**

**Recused: Wiecha**

**Motion: By Commissioner Peirona, seconded by Commissioner Purcell, to adopt Resolution 2000-46 recommending City Council approval of a Rezoning and Conceptual Development Plan for construction of College of Notre Dame Master Plan at 1500 Ralston Avenue**

**Ayes: Purcell, Peirona, Mathewson, Parsons**

**Absent: Petersen**

**Recused: Wiecha**

Chair Parsons announced that the Commission's decision may be appealed to the City Council within 10 days.

At 9:35 p.m. Chair Parsons called for a 5-minute recess. The meeting reconvened at 9:45 p.m.

**Public Hearing – 1 Davey Glen Road; To consider a Conceptual Development Plan, General Plan Amendment, Vesting Tentative Map, and Grading Plan to construct 32 single-family homes and relocate the Historic Ross House west of the units. The development plan includes dedication of a 1-acre portion of the site to the City of Belmont as a park, and provision of a scenic easement on an additional 3.6 acres of the project site. The residential units range from 1,724 to 2,175 square feet in size and on-site parking would be provided for 93 vehicles for the units. (Appl. No. 00-1045); APN: 044-162-130; Zoned: PD; CEQA Status: Mitigated Negative Declaration; Regis Homes (Applicant); Gene and Mary Lee (Owners)**

Principal Planner de Melo summarized the staff report, recommending approval with conditions.

Responding to Commissioner Wiecha's question regarding proposed use of the 3.6-acre scenic easement, Principal Planner de Melo stated that, to his knowledge, it will be maintained as an open space riparian habitat area and that maintenance of the easement will be the responsibility of the Ross Woods homeowners' association, with City staff being responsible for the 1-acre park area.

Responding to Commissioner Purcell's concern regarding the supply of affordable housing in Belmont, Interim Community Development Director Macris responded that it is within the Commission's purview to ask the applicant to address this question, and that it is an issue that will also be considered when the Housing Element of the General Plan is updated.

Dan Diebel, representing Regis Homes, clarified that under the proposed open space easement, no future development will take place and that the area will be maintained by the current property owner, Dr. Lee and his family, and the homeowners' association will maintain its property. Paul Lettieri, Guzzardo and Associates, Inc., landscape architect, described the proposed development of the site.

Responding to questions from Commissioners regarding plans for the existing pond, Mr. Diebel indicated that the proposal calls for the pond to be drained. Discussion ensued, resulting in agreement that a clear presentation of the proposal for the area of the pond needs to be included in the Mitigated Negative Declaration (MND). Responding to Commissioner Wiecha's questions, Mr. Diebel stated that

he would be comfortable with the addition of a condition which would require resubmittal to the Planning Commission if the site plan needs to be revised to address possible groundwater interception.

Regarding project review by the Belmont Police Department and South County Fire Authority, Mr. Diebel stated that the applicant met with these departments after the proposed MND had been released. Fire sprinklers will be required in all units and the spacing between fire hydrants will be increased. Fire Chief Jewell confirmed that using fire sprinklers to mitigate the inability to meet the access requirements of the Fire Code would be acceptable to the SCFA. Concerning the exterior fascia material that would be acceptable, Chief Jewell confirmed that the outer layer could be substituted with one-hour or greater protection underneath to meet the requirements of the Building Code.

Regarding the mitigation measure intended to reduce downhill speeds on Davey Glen Road, Carolyn Cole of Cole Transportation Group, stated that, lacking a good physical mitigation, the recommendation of increased enforcement was a last resort. Responding to Commissioner Purcell's reference to the Traffic Calming Task Force, Duncan Jones, Assistant City Engineer, stated that that task force no longer exists since its proposal has been adopted by the City Council, and that Davey Glen is not a project planned to be taken through the program. He suggested that the applicant investigate the tools that are available through the Traffic Calming Program, such as chokers at their intersection, which could be adequate for this situation. Mr. Diebel stated that a condition of approval of the Public Works Department is to work with the applicant in finding solutions to traffic problems.

Responding to Commissioner Wiecha's comments regarding the current tree ordinance and tree removal permits, Principal Planner de Melo stated that tree removal will be a separate entitlement in the Detailed Development Plan. Mr. Diebel noted that there are a total of 90 trees that will remain on the site.

Regarding the pair of hawks resting in the trees on the site, Dr. Lee indicated that the nest is located within the portion of the project designated as an open space easement.

Chair Parsons opened the public hearing.

Denny Lawhern, 408 Heller Street and representing the Belmont Historical Society, stated his support of the project, and feels that the preservation and renovation of the Ross House as proposed will be a source of pride for the residents of Belmont.

David Chamberlain, 300 Davey Glen Road, had previously submitted a letter detailing inconsistencies in the document and expressed concerns as follows: How the installation of a fence would affect biological resources; the width of the roadways; total number of lost parking spaces; the on-street parking demand; parking of RVs; the lack of affordable units in the project.

**Motion: By Commissioner Mathewson, seconded by Commissioner Peirona, to close the public hearing. Motion passed.**

**Ayes: Mathewson, Peirona, Purcell, Wiecha, Parsons**

**Absent: Petersen**

Responding to Mr. Chamberlain's comments, Mr. Diebel explained that fencing would be at the property line, not around the pond area, that roadways would be 24 feet wide with a 6-inch rolled curb on one

side and a 1-foot gutter on the other side, that the method of measuring the height of the buildings was changed to reflect the City of Belmont's formula, and that RVs will need to be parked in a storage lot. Commissioners discussed the density and affordable housing issue, with the conclusion that this was not the time to attempt to change the project plans to that extent. They also discussed their concerns regarding parking spaces and traffic on Davey Glen Road.

The Commission delineated the following issues as needing clarification in the Mitigated Negative Declaration: The pond as it exists is a hazard to the public; whether or not the pond will be removed; the number of parking spaces to be removed; height limit of structures proposed at the site; resubmittal to the Commission if the site plan needs to be revised due to impacts to groundwater flow; an indication that the emergency access issue will be resolved through the use of sprinklers and fire-resistant materials; tree-removal permits will be required for the removal of trees identified under the higher standard discussed in the Initial Study/Proposed MND.

**Motion: By Commissioner Peirona, seconded by Commissioner Purcell, adopting Resolution 2000-47 recommending City Council adoption of a Mitigated Negative Declaration of environmental significance for a 32-unit residential development at 1 Davey Glen Road with those clarifications as delineated above.**

**Ayes: Wiecha, Purcell, Peirona, Mathewson, Parsons**

**Absent: Petersen**

**Motion: By Commissioner Peirona, seconded by Commissioner Wiecha, recommending City Council approval of Resolution 2000-48 approving a General Plan Amendment to change the designation of 1 Davey Glen Road from medium-density residential (RM) to low-density residential (RL), Resolution 2000-49 approving a Conceptual Development Plan, with conditions as included in the staff report, Resolution 2000-50 approving a vesting tentative map, and Resolution 2000-51 approving a grading plan for construction of a 32-unit single-family residential development for Regis Homes at 1 Davey Glen Road.**

**Ayes: Wiecha, Purcell, Peirona, Mathewson, Parsons**

**Absent: Petersen**

Chair Parsons announced that this item may be appealed to the City Council within 10 days.

#### **REPORTS, STUDIES, UPDATES AND COMMENTS:**

Interim Community Development Director Macris made the following comments:

She reminded the Commissioners that, without prior approval, meals are not reimbursable for Commissioners while they are in town.

The City Council will be appointing Planning Commissioners at its meeting on September 26<sup>th</sup>, so that there should be a full contingent at the next meeting.

Commissioner Peirona announced that he is submitting his resignation to the City Council on September 20, 2000. He added that he has nothing but respect for the efforts and time that Councilmembers devote to their City positions, which help make Belmont and its development the best that it can be. He

thanked his fellow Commissioners and stated that he will miss them all. Chair Parsons regretfully accepted the resignation and thanked Commissioner Peirona for all his efforts.

**ADJOURNMENT:**

The meeting adjourned at 11:25 p.m. to a regular meeting on October 3, 2000 at Twin Pines Senior and Community Center.

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Marjorie W. Macris, AICP

Interim Planning Commission Secretary